

CHAPTER 4.16

PAWNBROKERS--SECOND HAND
DEALERS--AUTO WRECKING YARDS

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4.16.010 DEFINITIONS: For the purposes of this chapter the following definitions shall apply.

(a) "Pawnbroker" shall mean every person engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits, or conditional sales of personal property.

(b) "Second-Hand Dealer" shall mean every person engaged primarily in the business of buying or selling second-hand personal property, metal junk, or melted metals.

(c) The phrase "auto wrecking yard or auto wrecking business" shall be defined and shall extend to and include the business of tearing down, taking apart, demounting, and disassembling any and every kind and make for the purpose of obtaining parts therefrom, either for resale or for any other purpose.

(d) "Person" includes a corporation or partnership of two or more persons having a joint or common interest, as well as any natural person.

[Ord. 48 (1957) ▪ 1]

4.16.020 DUTY TO RECORD TRANSACTIONS. It shall be the duty of every pawn broker, second-hand dealer, and

auto-wrecking yard doing business in the County of Benton to maintain in his place of business a book in which shall be legibly written in the English language, at the time of each loan, purchase or sale, a record thereof containing:

- (a) The date of transaction
- (b) The name of the person or employee conducting the same.
- (c) The name, city, street and house number or rural route number, and in the event the seller is unknown to the purchaser, then a general description of the dress, complexion, color of hair, age and facial appearance of the person with whom the transaction is had.
- (d) The name and street and house number or rural route number of the owner of the property bought or received in pledge.
- (e) The street and house number or rural route number of the place from which the property bought or received in pledge was last removed.
- (f) A description of the property bought or received in pledge, which in the case of a watch shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry, shall contain the description of all letters and marks inscribed thereon: Provided, that when the article bought or received is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction shall be sufficient.
- (g) The price paid or the amount loaned.
- (h) The names and street and house numbers or rural route numbers of all persons witnessing the transaction.

(i) The number of any pawn ticket issued therefor.

(j) Any person, firm, association, or corporation engaged in the auto-wrecking business shall report daily to the Sheriff of Benton County in writing the motor number, make, and type of vehicle, year, model and license number of each such vehicle purchased and the name and address of the person from whom such vehicle was purchased and also the description and number, where available, of any part of a motor vehicle which shall include tires and in the case of parts and tires, the name and address of the person from whom such part or tire was purchased.

Such record of all goods received shall at all times be open to the inspection of the law enforcement officers of the County of Benton.

[Ord. 48 (1957) ■ 2]

4.16.030 REPORT TO THE SHERIFF. Every pawnbroker and second-hand dealer doing business in the County of Benton shall, before noon each day, or at such time as the Sheriff may thereafter send a messenger to get said report, furnish to the Sheriff of said county, for the use of law enforcement officers only, on such forms as such Sheriff may provide therefor, a full, true and correct transcript of the record of all transactions had on the preceding day, and if said pawnbroker or second-hand dealer has any cause to believe that any property coming into his possession has been previously lost or stolen, he shall immediately report such fact to the Sheriff, together with the name of the owner, if known, and the date when, and the name of the person from whom the same was received by him.

Section 4.16.020 (j) shall govern the report to be made by all auto-wrecking yards to the Sheriff of Benton County.
[Ord. 48 (1957) ■ 3]

4.16.040 RETENTION OF PROPERTY. No property bought or received in pledge by any pawnbroker, second-hand

dealer, or auto-wrecking yard shall be removed from his place of business, except when redeemed by the owner thereof, within 48 hours after the receipt thereof shall have been reported to the Sheriff as herein provided, EXCEPT this section shall not apply to property purchased from persons personally known to the purchasers and whom he believes to be reliable and trustworthy.
[Ord. 48 (1957) ■ 4]

4.16.050 PENALTY. Every pawnbroker, second-hand dealer, or auto-wrecking yard, and every clerk, agent or employee of such pawn broker, second-hand dealer, or auto-wrecking yard, who shall:

- (a) Fail to make an entry of any material matter in his book or record kept as provided for in BCC 4.16.030; or
- (b) Make any false entry therein; or
- (c) Falsify, obliterate, destroy or remove from his place of business such book or record; or
- (d) Refuse to allow any law enforcement officer of the County to inspect the same, or any goods in his possession, during the ordinary hours of business; or
- (e) Report any material matter falsely to the Sheriff; or
- (f) Having forms provided therefor, shall fail before noon each day to furnish the Sheriff with a full, true and correct transcript of the record of all his transactions had on the previous day, it being the intent of this section that Saturday's business may be reported on Monday; or
- (g) Fail to report forthwith to the Sheriff the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when, and the name of the person from whom the same was received by him; or
- (h) Remove, or allow the same to be removed, from his place of business except upon redemption by the owner thereof, any property received, within two (2) days after the receipt thereof

shall have been reported to the Sheriff unless the seller thereof shall be known as provided in BCC 4.16.040 above; or

(i) Receive any property from any person under the age of eighteen years, any common drunkard, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen goods, or any known associate of such theft or receiver of stolen goods, or any stolen property whether such person be acting in his own behalf or as an agent of another;

shall be guilty of a misdemeanor. Compliance with this chapter shall not relieve any pawnbroker from the penalties for non-compliance with the State law regulating pawnbrokers, Chapter 19.60 RCW.

[Ord. 48 (1957) ▪ 5; Ord. 214 (1987) ▪ 4]

4.16.060 INTERPRETATION. This chapter shall be so construed and interpreted as to apply to and regulate those persons principally engaged in the buying and selling of used personal property, metal junk or melted metals or similar goods, as a major part of their respective businesses or automobiles for wrecking the same for their parts, and shall not apply to automobile dealers or to those persons who accept used or second-hand personal property as part payment on new goods sold in the wholesale or retail trade, and then dispose of the same either at wholesale or retail.

[Ord. 48 (1957) ▪ 6]